

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

WINDCHIMES BY RUSSCO III, INC.

PLAINTIFF

v.

NO. 3:15CV00088 JLH

BIG LOTS, INC.; BIG LOTS STORES, INC.;  
and CONSOLIDATED PROPERTY HOLDINGS, INC.

DEFENDANTS

**ORDER**

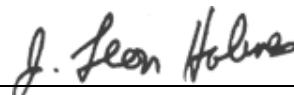
Plaintiff filed a complaint in this action on April 7, 2015. More than 120 days have passed.

Plaintiff has not filed proof of service on the defendants. Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Notice is hereby given to the plaintiff that the Court will dismiss this action unless proof of service is filed ***on or before Thursday, September 24, 2015***, or the plaintiff establishes good cause for the failure to serve summons and complaint on the defendants within 120 days after the filing of the complaint.

IT IS SO ORDERED this 17th day of September, 2015.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE